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02
03 UNITED STATES DISTRICT COURT
04 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

05 CHRISTOPHER MISKELLY,) CASE NO. C09-1529-MJP
06)
06 Plaintiff,)
07)
07 v.) ORDER DISMISSING § 1983 ACTION
08)
08 SUPERIOR COURT OF WASHINGTON)
09 FOR SNOHOMISH COUNTY, et al.,)
10 Defendants.)
_____)

11 Having reviewed the Report and Recommendation (Dkt. No. 4) of the Honorable Mary
12 Alice Theiler, United States Magistrate Judge, and the balance of the record, and noting the
13 absence of any objection, the Court hereby finds and ORDERS:

- 14 (1) The Court adopts the Report and Recommendation;
15 (2) The complaint and this action are DISMISSED without prejudice;
16 (3) Plaintiff's application for leave to proceed in forma pauperis is DENIED; and
17 (4) The Clerk is directed to send copies of this Order to plaintiff and to Judge
18 Theiler.

19 DATED this 12th day of January, 2010.
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21 
22 Marsha J. Pechman
United States District Judge